

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HENRY HEINIG,

Petitioner,

v.

PAT GLEBE,

Respondent.

CASE NO. C10-5365BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 17). The Court having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The Report and Recommendation is **ADOPTED**;
- (2) The petition filed under 28 U.S.C. § 2254 is **DENIED** and Petitioner is not entitled to a certificate of appealability for the reasons stated in the Report and Recommendation.

DATED this 6th day of January, 2011.



BENJAMIN H. SETTLE
United States District Judge